IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 11TH OCTOBER 2006 / 19TH ASWINA 1928

Bail Appl..No. 5797 of 2006

CMP.2120/2006 of J.M.F.C.-II, PEERUMEDU
CRIME NO.96/2006 OF PERUVANTHANAM POLICE STATION

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PETITIONER/2ND ACCUSED:

AJAS, S/O.ABDUL KHADER,
AGED 21 YEARS, KANATHUPARAMBIL HOUSE,
KOOTICKAL TOWN, KOOTICKAL KARA,
MUNDAKKAYAM VILLAGE.

BY ADV. SRI.SUNIL V.MOHAMMED

RESPONDENTS: STATE:

THE STATE OF KERALA,
REPRESENTED BY THE S.I. OF POLICE,
PERUVANTHANAM POLICE STATION THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5797/2006

DATED THIS THE 11TH DAY OF OCTOBER, 2006

O R D E R

The petitioner is the second accused, in crime No.96/2006 of Peruvanthanam Police Station, Idukki District, for the offence punishable under Section 302 IPC read with Section 34 IPC.

2. It is alleged that the petitioner and another, because of the previous enimity, caused injuries on the deceased, hitting with stone, on different parts of the body, because of which he succumbed to injuries on 30.7.2006. The petitioner was arrested on 31.7.2006 and he remains in judicial custody, from that day onwards. Hence this application under Section 439 Cr.P.C.

3. After hearing both sides and considering the fact that the investigation has progressed much, with regard to the petitioner, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction

of the Judicial Magistrate of First Class-II, Peermede.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Tuesday, between 10.00 a.m and 11.00 a.m., for a period of four months, starting from 17.10.2006, and thereafter, on the first working day of every month, between the same timings, till the completion of the trial and final disposal of the sessions case.

(c). The petitioner shall not leave the State of Kerala, till the disposal of the Sessions case.

(d). The petitioner shall not interfere with the investigation, attempt to influence or threaten the witnesses or cause any hindrance to the smooth conduct of the prosecution case, during the trial.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs